

JUL 05 2007

Application No: 10/733,393
Attorney's Docket No: ALC 3109

REMARKS/ARGUMENTS

Claim 1 and 3-26 are pending. Claims 1, 14, 19 and 22 are independent. Claims 1, 3, 8-10, 14, 15, 19, 21 and 22 are amended. Claim 2 is cancelled without prejudice to, or disclaimer of, the subject matter recited therein.

In sections 1-3 on page 2, the Office Action objects to claims 3, 19 and 22 for the specified informalities. It is believed that the reference to claim 22 is a typographical error, and was intended to be a reference to claim 21. Claims 3, 19 and 21 are amended to address the objections described in the Office Action.

For at least the foregoing reasons, it is respectfully requested that the objection to claims 3, 19 and 21 be withdrawn.

In section 4 on pages 2-3, the Office Action rejects claims 1-7, 9-11 and 14-23 under 35 U.S.C. §101 because the subject matter recited therein is allegedly directed to non-statutory subject matter. This rejection is respectfully traversed.

Claims 1, 14, 19 and 22, from which claims 2-7, 9-11, 15-18, 20, 21 and 23-26 depend, are amended. Applicants respectfully submit that claims 1-7, 9-11 and 14-23 are directed to statutory subject matter.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-7, 9-11 and 14-23 as allegedly being directed to non-statutory subject matter be withdrawn.

In section 6 on pages 3-4, the Office Action rejects claims 9 and 10 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 9 and 10 are amended. It is respectfully submitted that the subject matter recited in claims 9 and

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10 is described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most clearly connected, to make and/or use the subject matter recited therein.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 9 and 10 under 35 U.S.C. §112, first paragraph, be withdrawn.

In section 8 on pages 4-12, the Office Action rejects claims 1-18 and 22-26 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,751,191 to Kanekar et al. (hereinafter "Kanekar").

Claims 1 and 14, from which claims 2-11 and 15-18 depend, recite "aggregating" according to the combinations therein. Kanekar does not disclose aggregating as recited in the rejected claims.

Claim 22, from which claims 23-26 depend, recites "determining the delay." Kanekar does not disclose determining the delay according to the combinations recited in the rejected claims.

Claim 2 is cancelled without prejudice to, or disclaimer of, the subject matter therein.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-18 and 22-26 as allegedly being anticipated by Kanekar be withdrawn.

In section 9 on pages 12-14, the Office Action rejects claims 19-23 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent Publication No. 2002/0145981 to Klinker et al. (hereinafter "Klinker"). This rejection is respectfully traversed.

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Claims 19 and 22, from which claims 20, 21, and 23 depend, respectively, recite determining the delay. Klinker does not disclose determining the delay according to the combinations recited in the rejected claims.

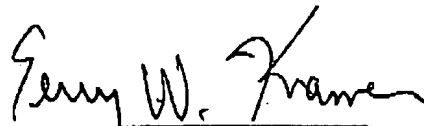
For at least the foregoing reasons, it is respectfully requested that the rejection of claims 19-23 as allegedly being anticipated by Klinker be withdrawn.

CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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